

422.220 Bond with force of judgment, lost -- How supplied.

If a bond having the force and effect of a judgment, is lost, destroyed, mutilated, or defaced, any person interested therein may, upon ten (10) days' written notice to the adverse party, move the court in which the bond was on file to award execution thereon. Upon satisfactory proof that such bond has existed, that it has been lost, destroyed, mutilated, or defaced, the purport thereof, and that it remains undischarged, the court shall award execution thereon, endorsed as though execution were issued on the bond, if in existence. No judgment for costs shall be rendered against the defendant in the motion, unless he controverts the plaintiff's right to an execution and fails in his defense.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 3992.